

**CITY OF ELLISVILLE
COUNCIL MEETING**

AUGUST 17, 2022

Mayor Roemerma opened this Regular Meeting at 7:00 p.m. In attendance were Council Members McGrath, Compton, Cahill, Sanborn, Duffy and Boggs.

Also present were: City Manager Schwer, City Attorney Malone, City Planner Hood, Police Chief Lewis, Administrative Services Director Cary and City Clerk Dohack.

All those in attendance recited the Pledge of Allegiance.

APPROVAL OF AGENDA

Mayor Roemerma moved to approve the evening's agenda, seconded by Council Member McGrath. The votes on the approval were all "AYES".

APPROVAL OF MINUTES

Mayor Roemerma moved to approve the minutes from the July 20, 2022 Regular Council Meeting. The motion was seconded by Council Member Duffy. The votes were: Roemerma "AYE", McGrath "AYE", Compton "AYE", Cahill "ABSTAIN", Sanborn "AYE", Duffy "AYE", and Boggs "AYE".

PUBLIC COMMENTS I

Valerie Marrott, 333 Cherry Hill Drive, stated that she is a gardener and supports beekeeping. Mrs. Marrott opposes the proposed beekeeping regulations.

Kevin Marrott, 333 Cherry Hill Drive, also opposes the proposed changes to the beekeeping regulations. Mr. Marrott stated that the City of Ballwin, which is adjacent to the neighborhood, does not have any regulations for beekeeping so there will be hard to know where the bees come from.

Marci McCrary, 1005 Mallow, commented her appreciation for considering changes to the Right-of-Way Solicitation regulations and noted that Chesterfield does not issues permits for this type of solicitation.

Mary McCord, 116 Tara Ridge Court, Ballwin, commented that honey bees are not the issue and noted they will not sting unless they are threatened. Ms. McCord supports backyard beekeepers and can provide more information about bees, if requested.

Lisa Kosyan, 130 Flesher Drive, supports local beekeepers and opposes the proposed changes to the beekeeping regulations.

Jeremy Idleman, 466 West Glen Village, Ballwin, commented that more restrictions on beekeeping are not the answer and noted that more education on beekeeping will help the neighbors understand the benefits of the bees.

Ray Cromer, 396 Cherry Hill Drive, also commented on the proposed beekeeping regulations noting that pool owners should not be allowed to object to neighboring hives.

Jane Suemer, 4931 St. Gemme Lane, St. Louis, stated that she owns a retail beekeeping supply business supporting neighborhood beekeepers and opposed the proposed regulations changes.

Millie Myers, 322 Cherry Hills Drive, commented on the need for a stop sign with flashing lights at Cherry Hills and Clayton due to the school traffic for safety.

PETITIONS

15957 Manchester Road (Kiraboo Kones), new larger temporary structure

Petition of Kira Messer, owner operator, for City Council consideration and approval of a new larger temporary structure associated with Kiraboo Kones, LLC located at 15957 Manchester Road within the C-3 Commercial Zoning District.

Mr. and Mrs. Messer were present to answer questions. Mrs. Messer stated that this is the sixth season for Kiraboo Kones and would like to increase the size of the structure. The Mayor asked if this would be on the same space within the shopping center parking lot. The owners noted that placement would be in the same spot and the size of the new structure will be 12-foot by 16-foot. The Mayor also asked if the electric meter could be placed in a more permanent base and Ms. Messer was amenable to the suggestion. Council Members asked about the property being there full-time, water accessibility, and restroom options. The owners stated that the structure will be there year-round, there are tanks for water storage, and that employee restrooms are available per an agreement with Jimmy Johns.

Mayor Roemerman moved to approve that request for the larger structure with a more permanent installation on the electric meter, seconded by Council Member Duffy. The votes were: Roemerman "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE".

419 Old State Road and 423 Old State Road, boundary adjustment plat

Request of St. Onge Management, requesting approval of a Boundary Adjustment Plat for properties located at 419 Old State Road and 423 Old State Road within the M-1 Light Industrial Zoning District.

Charlie St. Onge was present to answer questions, noting the reason for the Boundary Adjustment to utilize 2.37 acres for a development. Council Member Duffy stated that he would be in favor of this type of business incubator development.

This item will be considered by the Council during legislation.

RECEIPT/FILING OF PLANNING AND ZONING COMMISSION

Mayor Roemerman moved to receive and file of the following Planning and Zoning Commission's recommendations:

- A. Receipt and filing of Planning and Zoning Commission's positive recommendation dated August 11, 2022 relative to the petition of S.J. Hollander Architect on behalf of Dave Taylor Ellisville Chrysler, for approval of a lot consolidation plat and an amendment to an existing conditional use permit for motor vehicle sales at the location known and numbered as 15502 Manchester Road to expand motor vehicle sales to adjacent parcels at the locations known and numbered as 15494 Manchester Road and 15484 Manchester Road, all within the "C-3" Commercial Zoning District, of the City of Ellisville, Missouri.

- B. Receipt and filing of Planning and Zoning Commission's positive recommendation dated August 11, 2022 relative to the request of Abdullah Abraham, for approval of a conditional use permit for Kallony LLC, d/b/a Royal Juice, to allow for a convenience store with liquor sales, at the location known and numbered as 51 Clarkson Road, within the "C-3" Commercial Zoning District, of the City of Ellisville, Missouri.
- C. Receipt and filing of Planning and Zoning Commission's positive recommendation dated August 11, 2022 relative to the petition of RCG Ellisville, LLC, for approval of a conditional use permit for Ollie's , to allow building height in excess of thirty feet (30') at the location known and numbered as 15434 Manchester Road within the "C-3" Commercial Zoning District, of the City of Ellisville, Missouri.

The motion was seconded by Council Member Compton. The votes were: Roerman "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE".

PUBLIC HEARINGS

15494 Manchester Road and 15484 Manchester Road (Dave Taylor Ellisville Chrysler), lot consolidation and existing conditional use permit amendment

Mayor Roerman opened the public hearing pertaining to the petition of S.J. Hollander Architect on behalf of Dave Taylor Ellisville Chrysler, for approval of a lot consolidation plat and an amendment to an existing conditional use permit for motor vehicle sales at the location known and numbered as 15502 Manchester Road to expand motor vehicle sales to adjacent parcels at the locations known and numbered as 15494 Manchester Road and 15484 Manchester Road, all within the "C-3" Commercial Zoning District, of the City of Ellisville, Missouri. City Attorney Malone entered the following exhibits for the purposes of this hearing. Exhibit 1, Certified copy of the Municipal Code; Exhibit 2, Zoning District Map; Exhibit 3, Comprehensive Plan; Exhibit 4, Notice published in *The Countian* on August 1, 2022; Exhibit 5, Letter mailed to abutting property owners within 185 feet on August 2, 2022; Exhibit 6, Public posting of notice dated August 1, 2022; Exhibit 7, Notice of public hearing dated August 1, 2022; Exhibit 8, Planning and Zoning Commission Report and Recommendation dated August 11, 2022, forwarding positive recommendation; Exhibit 9, Memorandum from the City Planner to the City Manager dated August 17, 2022; Exhibit 10, Application for Lot Consolidation/Conditional Use Permit/Site Plan Review; Exhibit 11, Memorandum from S.J. Hollander Architect to City Planner dated July 19, 2022; Exhibit 12, Letter from Terraspec regarding Landscape Plan Review dated July 19, 2022; Exhibit 13, Copies of Ordinance Nos. 403, 423, 615, 750, 1089, 1344, 1824, and 2090, approving and modifying a conditional use permit for motor vehicles sales at 15502 Manchester Road; Exhibit 14, Planning and Zoning Commission Meeting Minutes from December 11, 2019 approving transfer of operations to Dave Taylor; Exhibit 15, St. Louis County Parcel Viewer Image; Exhibit 16, Google image of existing fence along rear; Exhibit 17, Site Development Plan; Exhibit 18, Lot Consolidation Plat; and Exhibit 19, Elevations of Proposed New Building.

S.J. Hollander, architect, and City Planner Hood were sworn in by City Clerk Dohack for this public hearing.

Mr. Hollander gave an overview of the proposed expansion and lot consolidation. Mayor Roerman asked about cross access on within the properties. Mr. Hollander commented that cross access was not viable due to the varying grade levels on each lot. Council Member Duffy asked staff if the proposed lighting plan met City regulations and staff commented that the as-

builds will meet the City's standards. Council Member Cahill commented about easements at the intersection of Reinke and Manchester and about an electric signal at Reinke to ease some of the traffic issues. City Manager Schwer stated that there would be some easement but MoDOT would require the light to align with Hillsdale Drive and that would be in middle of the property at 15484 Manchester. Council Member Compton questioned if the buffer at the rear of the property was appropriate and reiterated that no egress would be granted on Reinke. Mr. Hollander stated that no egress was planned for Reinke Road. Council Member Sanborn commented on the bike rack requirement and if it was necessary. The last few comments from the Council Members pertained to the frontage of the property and the new façade of the building.

Public Comments

There were no public comments.

Mayor Roemerman polled Ellisville residents and property owners regarding the petition as presented: Eight (8) residents were in favor and two (2) were in opposition. Mayor Roemerman closed the public hearing.

51 Clarkson Road (Royal Juice), convenience store with liquor license CUP

Mayor Roemerman opened the public hearing pertaining to the request of Abdullah Abraham, for approval of a conditional use permit for Kallony LLC, d/b/a Royal Juice, to allow for a convenience store with liquor sales, at the location known and numbered as 51 Clarkson Road, within the "C-3" Commercial Zoning District, of the City of Ellisville, Missouri. City Attorney Malone entered the following exhibits for the purposes of this hearing. Exhibit 1, Certified copy of the Municipal Code; Exhibit 2, Zoning District Map; Exhibit 3, Comprehensive Plan; Exhibit 4, Notice published in *The Countian* on August 1, 2022; Exhibit 5, Letter mailed to abutting property owners within 185 feet on August 1, 2022; Exhibit 6, Public posting of notice dated August 1, 2022; Exhibit 7, Notice of public hearing dated August 1, 2022; Exhibit 8, Planning and Zoning Commission Report and Recommendation dated August 11, 2022, forwarding positive recommendation; Exhibit 9, Memorandum from the City Planner to the City Manager dated August 17, 2022; Exhibit 10, Application for Conditional Use Permit, including business plan; Exhibit 11, Letter from Hilliker Corporation to City Planner dated July 27, 2022, regarding compliance with landscaping and lighting for the property/tenant space; Exhibit 12, Correspondence from City Attorney to City Planner date August 3, 2022; Exhibit 13, Letter from City Planner to applicant dated July 19, 2022 regarding application, retail tobacco store regulations; Exhibit 14, Letter from Terraspec regarding Landscaping requirements dated July 19, 2022; and Exhibit 15, Email correspondence from applicant to City Planner regarding other businesses, dated July 28, 2022.

Abdullah Abraham, business owner, and City Planner Hood were sworn in by City Clerk Dohack for this public hearing.

Mr. Abraham summarized that this business would be a convenience store and that after discussions with the Planning and Zoning Commission the cigarette/tobacco space would be reduced to meet City regulations.

Mayor Roemerman questioned Mr. Abraham about the missing pages from the submitted application. Mayor began to review the questions from the missing pages but after discussion chose to make a motion to table the discussion until the missing pages are completed and received by staff. City Attorney Malone concurred with proposing the motion.

Mayor Roemerma moved to table the discussion and continue the public hearing to another Council meeting when the completed documents are received. The motion was seconded by Council Member Compton. The votes on the motion were: Roemerma “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Sanborn “AYE”, Duffy “AYE”, and Boggs “AYE”.

Public Comments

Public Comments were allowed to be heard at this time.

Jason Metropoulos, 1202 Clarkson Court, opposed this convenience store at the entrance to the complex where he resides as there is already a store within the Tidal Wave development.

Janice Smoots, 1255 Clarkson Court, noted her concerns about the traffic this store would generate. Ms. Smoots noted there are a number of convenience stores in the area, expressed concerns for the safety of the children who would access the bus stop near this business, and also commented on additional trash that would be on back side of the strip center facing the condominium complex.

Emily Karr, 1261 Clarkson Court, President of the Clarkson Court Condo Association, was opposed to a liquor store in front of their homes and was concerned about the additional traffic in this area.

The poll of the audience will take place at the continued public hearing after the documentation is received from the applicant. Mayor Roemerma noted to the audience that all applicants are given the opportunity to come before the Council for consideration.

15434 Manchester Road (Ollie’s), building height in excess of 30-foot CUP

Mayor Roemerma opened the public hearing pertaining to the petition of RCG Ellisville, LLC, for approval of a conditional use permit for Ollie’s, to allow building height in excess of thirty feet (30’) at the location known and numbered as 15434 Manchester Road within the “C-3” Commercial Zoning District, of the City of Ellisville, Missouri. City Attorney Malone entered the following exhibits for the purposes of this hearing. Exhibit 1, Certified copy of the Municipal Code; Exhibit 2, Zoning District Map; Exhibit 3, Comprehensive Plan; Exhibit 4, Notice published in *The Countian* on August 1, 2022; Exhibit 5, Letter mailed to abutting property owners within 185 feet on August 1, 2022; Exhibit 6, Public posting of notice dated August 2, 2022; Exhibit 7, Notice of public hearing dated August 1, 2022; Exhibit 8, Planning and Zoning Commission Report and Recommendation dated August 11, 2022, forwarding positive recommendation; Exhibit 9, Memorandum from the City Planner to the City Manager dated August 17, 2022; Exhibit 10, Application for Conditional Use Permit; Exhibit 11, Letter from Terraspec regarding Landscape Plan Review dated July 14, 2022; Exhibit 12, Letter from RCG Venture to City Planner dated July 16, 2022; and Exhibit 13, Elevations depicting Ollie’s store.

Terry Dawdy representing Ollie’s and City Planner Hood were sworn in by City Clerk Dohack for this public hearing.

Mr. Dawdy provided information about the proposed retail store and the façade. Discussion took place pertaining to the height of the façade which necessitated the application for conditional use permit application. Staff noted that the building is approximately 20-feet lower than Manchester Road frontage.

Public Comments

There were no public comments.

Mayor Roemerma polled Ellisville residents and property owners regarding the petition as presented: Six (6) residents were in favor and two (2) were in opposition. Mayor Roemerma closed the public hearing.

LEGISLATION

Ord. #3521, Amends Code Pertaining to Minimum Age for Sale of Tobacco Products

Council Member McGrath introduced for final passage of Bill #3750, AN ORDINANCE AMENDING TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 210.610, 210.620, 210.630 AND 210.670, REGARDING THE MINIMUM AGE FOR SALE AND POSSESSION OF TOBACCO, ALTERNATIVE NICOTINE PRODUCTS, AND VAPOR PRODUCTS, OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI.

Prior to the final vote discussion took place pertaining to Section 3 of Bill #3750. Mayor Roemerma moved to amend Section 3 to read as follows:

*“ **SECTION 3:** This Ordinance shall be in full force and effect thirty (30) days from and after its passage and approval of the Council. “*

The motion to amend Bill #3750, Section 3 was seconded by Council Member Compton. The votes on the amendment were: Roemerma “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Sanborn “NAY”, Duffy “NAY”, and Boggs “NAY”.

Council Member McGrath moved for a final reading of Bill #3750, as amended. The motion was seconded by Council Member Compton. The votes on the second reading of Bill #3750, as amended were: Roemerma “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Sanborn “NAY”, Duffy “NAY”, and Boggs “NAY”. Bill #3750 becomes ORDINANCE #3521.

Ord #3522, 15502 Manchester Road (Dave Taylor Ellisville Chrysler), amends existing CUP to expand motor vehicle sales to 15494 and 15484 Manchester Road and lot consolidation plat

Council Member Compton introduced Bill #3753, AN ORDINANCE AMENDING AN EXISTING CONDITIONAL USE PERMIT ISSUED TO DAVE TAYLOR ELLISVILLE CHRYSLER AUTHORIZING MOTOR VEHICLE SALES AT THE LOCATION KNOWN AND NUMBERED AS 15502 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI, TO EXPAND MOTOR VEHICLE SALES ON ADJACENT PARCELS AT THE LOCATIONS KNOWN AND NUMBERED AS 15494 MANCHESTER ROAD AND 15484 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI, AND APPROVING A LOT CONSOLIDATION PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 15502 MANCHESTER ROAD, 15494 MANCHESTER ROAD AND 15484 MANCHESTER ROAD. Council Member Compton moved for consideration and perfection of Bill #3753, seconded by Council Member Cahill. The votes on the first reading of Bill #3753 were: Roemerma “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Sanborn “AYE”, Duffy “AYE”, and Boggs “AYE”. Council Member Compton introduced Bill #3753 for final passage, AN ORDINANCE AMENDING AN EXISTING CONDITIONAL USE PERMIT ISSUED TO DAVE TAYLOR ELLISVILLE CHRYSLER AUTHORIZING MOTOR VEHICLE SALES AT THE LOCATION KNOWN AND NUMBERED AS 15502 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE,

MISSOURI, TO EXPAND MOTOR VEHICLE SALES ON ADJACENT PARCELS AT THE LOCATIONS KNOWN AND NUMBERED AS 15494 MANCHESTER ROAD AND 15484 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI, AND APPROVING A LOT CONSOLIDATION PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 15502 MANCHESTER ROAD, 15494 MANCHESTER ROAD AND 15484 MANCHESTER ROAD. Council Member Duffy moved for final passage of Bill #3753, seconded by Council Member Cahill. The votes on the second reading of Bill #3753 were: Roemerman “AYE”, McGrath “AYE”, Compton “AYE”, Cahill “AYE”, Sanborn “AYE”, Duffy “AYE”, and Boggs “AYE”. Bill #3753 becomes ORDINANCE #3522.

Bill #3754, 51 Clarkson Road (Royal Juice), liquor license CUP

AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT TO KALLONY, LLLC D/B/A ROYAL JUICE TO ALLOW THE OPERATION OF A CONVENIENCE STORE WITH LIQUOR SALES AT THE LOCATION KNOWN AND NUMBERED AS 51 CLARKSON ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. This Bill was tabled for Council consideration until the public hearing conclusion at the September 7, 2022 Council Meeting.

Ord #3523, 15434 Manchester Road (Ollie’s), building height in excess of 30-foot CUP

Council Member Compton introduced Bill #3755, AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT TO RCG ELLISVILLE, LLC TO ALLOW BUILDING HEIGHT IN EXCESS OF THIRTY FEET AT THE LOCATION KNOWN AND NUMBERED AS 15434 MANCHESTER ROAD, WITHIN THE C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Compton moved for consideration and perfection of Bill #3755, seconded by Council Member Cahill.

Mayor Roemerman stated that this retail business is a welcome addition to Ellisville and feels that this will bring additional businesses to this commercial site. Discussion continued pertaining to the requested waiver from the business representatives. Council Member Compton stated that not all of the variances should be removed as this center as there are some areas that need to be address within the shopping center. Discussion also continued pertaining to bike racks. Council Member McGrath questioned about the dead vegetation that needed to be address with the last approval for this center. Staff noted that this will be addressed during permitting. The representative the landlord commented that the additional recommendations would be an additional financial burden and that is the reason for the requested waivers.

Mayor Roemerman moved to amend Bill #3755 to remove the following sections: Section 1(1) pertaining to luminaires, Section 1(2) pertaining to sidewalk installation, and Section 1(5) pertaining to landscape recommendations. The motion to amend was seconded by Council Member Duffy. The votes on the amendment to Bill #3755 were: Roemerman “AYE”, McGrath “AYE”, Compton “NAY”, Cahill “NAY”, Sanborn “AYE”, Duffy “AYE”, and Boggs “AYE”.

The votes on the first reading of Bill #3753, as amended, were: Roemerman “AYE”, McGrath “AYE”, Compton “NAY”, Cahill “NAY”, Sanborn “AYE”, Duffy “AYE”, and Boggs “AYE”. Council Member Compton introduced Bill #3755, as amended, for final passage, AN ORDINANCE AUTHORIZING ISSUANCE OF A CONDITIONAL USE PERMIT TO RCG ELLISVILLE, LLC TO ALLOW BUILDING HEIGHT IN EXCESS OF THIRTY FEET AT THE LOCATION KNOWN AND NUMBERED AS 15434 MANCHESTER ROAD, WITHIN THE

C-3 COMMERCIAL ZONING DISTRICT OF THE CITY OF ELLISVILLE, MISSOURI. Council Member Compton moved for final passage of Bill #3755, as amended, seconded by Council Member Cahill.

Council Member Duffy clarified that if Ollie's has come in without the height in excess of 30-feet and without the waiver request, the business would have been allowed by right. Mayor Roerman noted that this is the first Ollie's in the area and that we are lucky to have them within the City. Council Member Compton noted that these issues should be addressed by the landlord not the business.

The votes on the second reading of Bill #3755, as amended, were: Roerman "AYE", McGrath "AYE", Compton "NAY", Cahill "NAY", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Bill #3755 becomes ORDINANCE #3523.

Ord #3524, Amends Beekeeping Regulations

Council Member McGrath introduced Bill #3756, AN ORDINANCE AMENDING TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 205: ANIMAL REGULATIONS, ARTICLE VI: BEEKEEPING, BY THE AMENDMENT OF SECTION 205.450, REGARDING PROPER BEEKEEPING PRACTICES, OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI. Council Member McGrath moved for consideration and perfection of Bill #3756 seconded by Council Member Compton.

Council Member Duffy thanked all those beekeepers who attending the meeting and expressing their interest in the bees within the City. Council Member Duffy also noted that with some changes made within the City that more bees are within the City and specifically in the Bluebird Park. Council Member Duffy was also concerned with giving pool owners preferential treatment to their neighbors with bee hives.

Council Member Duffy moved to amend Bill #3756 to remove the following sections: Section A.1(g) pertaining to neighboring properties and Section B pertaining to permits, in its entirety. The motion was seconded by Council Member Sanborn. Discussion ensued pertaining to the proposed amendment. Council Member Duffy noted that he was not in favor of the ordinance in the whole. Council Member McGrath commented that the intent was not to have any resident lose their hives and was just addressing a complaint that was received. Council Member McGrath asked if this legislation should be tabled. Discussion continued pertaining to amendment of Bill #3756 and the native plantings that will bring bees to the community. City Manager Schwer noted that there would be an article in the newsletter pertaining to a grant from Metropolitan Sewer District to these native plantings.

Council Member Duffy withdrew his original motion then moved to amend Bill #3756, Exhibit A, Section 205.450 of the Ellisville Municipal Code to read as follows:

Section 205.450. Keeping of Bees

- A. *The keeping of bees shall be allowed on all detached single-family lots under the following conditions:*
 - 1. *Regulations.*
 - a. *Minimum Lot Size. The subject property must be at least ten thousand (10,000) square feet in area.*
 - b. *Number of Hives. Five (5) hives are permitted if the subject property is*

between ten thousand (10,000) and sixty thousand (60,000) square feet in area. A maximum of fifteen (15) hives are permitted if the subject property is more than sixty thousand (60,000) square feet in area.

- c. Location of Hives. The hives must be at least ten (10) from each property line.*
- d. Housing and Maintenance. All colonies must be kept in movable frame hives. Adequate space must be maintained around hives to prevent overcrowding and swarming.*

The votes on the amendment to Bill #3756 were: Roemerma "AYE", McGrath "AYE", Compton "NAY", Cahill "NAY", Sanborn "AYE", Duffy "AYE", and Boggs "AYE".

The votes on the first reading of Bill #3756, as amended, were: Roemerma "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Council Member McGrath introduced Bill #3756, as amended, for final passage, AN ORDINANCE AMENDING TITLE II: PUBLIC HEALTH, SAFETY AND WELFARE, CHAPTER 205: ANIMAL REGULATIONS, ARTICLE VI: BEEKEEPING, BY THE AMENDMENT OF SECTION 205.450, REGARDING PROPER BEEKEEPING PRACTICES, OF THE CODE OF THE CITY OF ELLISVILLE, MISSOURI. Council Member McGrath moved for final passage of Bill #3756, as amended, seconded by Council Member Duffy. The votes on the second reading of Bill #3756, as amended, were: Roemerma "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Bill #3756 becomes ORDINANCE #3524.

Ord #3525, 419 Old State Road and 423 Old State Road, boundary adjustment plat

Council Member Duffy introduced Bill #3757, AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 419 OLD STATE ROAD AND 423 OLD STATE ROAD, WITHIN THE CITY OF ELLISVILLE, MISSOURI. Council Member Duffy moved for consideration and perfection of Bill #3757, seconded by Council Member Cahill. The votes on the first reading of Bill #3757 were: Roemerma "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Council Member Duffy introduced Bill #3757 for final passage, AN ORDINANCE APPROVING A BOUNDARY ADJUSTMENT PLAT FOR THE PARCELS KNOWN AND NUMBERED AS 419 OLD STATE ROAD AND 423 OLD STATE ROAD, WITHIN THE CITY OF ELLISVILLE, MISSOURI. Council Member Duffy moved for final passage of Bill #3757, seconded by Council Member Compton. The votes on the second reading of Bill #3757 were: Roemerma "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Bill #3757 becomes ORDINANCE #3525.

Ord #3526, Lease Purchase Transaction with Clayton Holdings, LLC for government center funding

Council Member Boggs introduced Bill #3758, AN ORDINANCE AUTHORIZING THE CITY OF ELLISVILLE, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION WITH CLAYTON HOLDINGS, LLC, AS LESSOR, WITH RESPECT TO THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GOVERNMENT CENTER; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH, AND CONTAINING AN EMERGENCY CLAUSE. Council Member Boggs moved for consideration and perfection of Bill #3758, seconded by Council Member Duffy.

City Attorney Malone introduced Attorney Mark Grimm with Gilmore and Bell, P.C. who on behalf of the City drafted the documents and outlined the funding option for the Government

Center project.

The votes on the first reading of Bill #3758 were: Roemerma "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Council Member Boggs introduced Bill #3758 for final passage, AN ORDINANCE AUTHORIZING THE CITY OF ELLISVILLE, MISSOURI, TO ENTER INTO A LEASE PURCHASE TRANSACTION WITH CLAYTON HOLDINGS, LLC, AS LESSOR, WITH RESPECT TO THE ACQUISITION, CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GOVERNMENT CENTER; AND AUTHORIZING CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION THEREWITH, AND CONTAINING AN EMERGENCY CLAUSE. Council Member Boggs moved for final passage of Bill #3758, seconded by Council Member Duffy. The votes on the second reading of Bill #3758 were: Roemerma "AYE", McGrath "AYE", Compton "AYE", Cahill "AYE", Sanborn "AYE", Duffy "AYE", and Boggs "AYE". Bill #3758 becomes ORDINANCE #3526.

Resolution #08-17-2022, Bond Counsel Engagement Letter with Gilmore and Bell, PC

Mayor Roemerma introduced Res.#08-17-2022, A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE AN ENGAGEMENT LETTER ON BEHALF OF THE CITY OF ELLISVILLE, MISSOURI WITH GILMORE AND BELL, P.C., TO ACT AS BOND COUNSEL FOR THE CITY OF ELLISVILLE, MISSOURI. Mayor Roemerma moved for consideration and perfection of Res. #08-17-2022, seconded by Council Member Sanborn.

PUBLIC COMMENTS

There were no public comments.

MAYOR/COUNCIL BUSINESS/REPORTS

Board/Commission Appointments/Reappointments

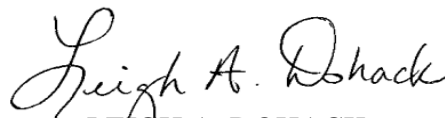
This item will be postponed to a later meeting.

ACTIVE COMMITTEE STATUS/UDPATES

There were no updates.

The meeting adjourned at 9:43 p.m.

Respectfully submitted,



LEIGH A. DOHACK
City Clerk